# ELLIOTT & ELLIOTT, P.A.

## ATTORNEYS AT LAW

721 OLIVE STREET
COLUMBIA, SOUTH CAROLINA 29205
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SCOTT ELLIOTT

TELEPHONE (803) 771-0555 FACSIMILE (803) 771-8010

March 14, 2006

HAND DELIVERY

Charles L. A. Terreni, Esquire Chief Clerk and Administrator Public Service Commission of South Carolina 101 Executive Center Dr., Suite 100 Columbia, SC 29210 2005-238-C 2005-407. C

RE:

Notification of the Name Change of Sprint Long Distance, Inc. to

Embarq Communications, Inc.

Dear Mr. Terreni:

Enclosed please find for filing an original and fifteen (15) copies of a Notification of the Name Change in the above referenced matter together with a Certificate of Service on the Office of Regulatory Staff for filing.

Also enclosed is a proposed Notice of Filing for the Commission's consideration. We would appreciate your earliest attention to this matter.

I have included two extra copies which I would ask you to date stamp and return to me via my courier.

Thank you for your assistance, and please call me if you have any questions regarding this matter.

Sincerely,

Elliott & Elliot

Scott Elliott

15 2006

PSC SC DOCKETING DEPT.

SE/mlw

**Enclosures** 

c:

All parties of record w/enc

Cheryl Sweitzer

H. Edward Phillips, Esquire

#### BEFORE THE

### PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

			( Table 1)		
In Re:	)			ź	
	)		•		
Notification of the Name Change	)			***	
of Sprint Long Distance, Inc. to Embarq Communications, Inc.	)	Docket No.	<del></del>	$\mathcal{A}$	
	)			1-3 W	*

Sprint Long Distance, Inc. (or "SLDI") respectfully notifies the South Carolina Public Service Commission ("Commission") of its name change from Sprint Long Distance, Inc. to Embarq Communications, Inc. The name change will be undertaken in furtherance of SLDI's business plan to separate its identity from Sprint Nextel Corporation ("Sprint") to a stand-alone telecommunications company and to avoid confusion in SLDI's dealing with regulators, other government agencies, vendors and customers as further described below.

1. Sprint Long Distance, Inc. was incorporated February 23, 2005, under the laws of Delaware with its principal office located as follows:

Sprint Long Distance, Inc. 6200 Sprint Parkway Overland Park, KS 66251

- 2. SLDI was granted a certificate of public convenience and necessity to provide intrastate telecommunications services between and among locations in the State of South Carolina as a non-facilities based interexchange service provider by Order No. 2005-689 dated December 8, 2005 in Docket No. 2005-238-C.
- 3. By motion approved in Docket No. 2005-407-C, March 7, 2006, at its agenda conference, the Commission granted SLDI a certificate of public convenience and necessity to provide resold and facilities based competitive local exchange service in South Carolina.

- 4. SLDI was created and incorporated as a subsidiary of Sprint in anticipation of the merger of Sprint Corporation and Nextel Communications, Inc and the subsequent separation of Sprint's local business and payphone units. Further, SLDI's corporate parent, LTD Holding Company (as it was known in the original application seeking certification for SLDI) has changed its legal name to Embarq Corporation. LTD Holding Company was created as a separate entity by Sprint for the purpose of owning and operating SLDI as well as Sprint's local and payphone subsidiaries in South Carolina. While Sprint retains ownership of the wireless and long distance operations, most existing in territory Sprint long distance customers are being transferred to SLDI. The Commission approved the transfer of control of SLDI as well as the local and payphone subsidiaries by Order No. 2995-690 dated December 8, 2005 in Docket No. 2005-246-C.
- 5. SLDI has effected a corporate name change to that of Embarq Communications, Inc. and has so amended its corporate charter in the State of Delaware and further has amended its certificate of authority to transact business in South Carolina to reflect its name change (please see the Certificate of Amendment for the State of Delaware attached as exhibit A and the Certificate of Authorization issued by the South Carolina Secretary of State attached as exhibit B).
- 6. The name change is a part of SLDI's continuing effort to establish its separate identity from that of Sprint and in doing so, will help prevent confusion in SLDI's dealing with regulators, other government agencies and customers.
- 7. The name change to Embarq Communications, Inc. will have no impact on customers or service; customers will be provided notice of the name change via a bill message which is mailed directly to customers; and SLDI expects to begin using the new name on or after April 24, 2006.

- 8. SLDI respectfully submits that the public interest, convenience and necessity will be furthered by the name change.
- 9. Correspondence or communications regarding this notification should be addressed to:

Scott Elliott, Esquire Elliott & Elliott, P.A. 721 Olive Street Columbia, SC 29205 803-771-0555 (P) 803-771-8010 (F) selliott@elliottlaw.us

H. Edward Phillips, Esquire Sprint Mailstop: NCWKFR0313 14111 Capital Boulevard Wake Forest, NC 27587-5900 919-554-7870 (P) 919-554-7913 (F) Edward.Phillps@Sprint.com

WHEREFORE Sprint Long Distance, Inc. respectfully prays that the Commission approve the name change of Sprint Long Distance, Inc. to Embarq Communications, Inc. and for such other relief as is just and proper.

Scott Elliott, Esquire Elliott & Elliott, P.A. 721 Olive Street Columbia, SC 29205 803-771-0555 803-771-8010

H. Edward Phillips, Esquire Sprint Mailstop: NCWKFR0313 14111 Capital Boulevard Wake Forest, NC 27587-5900 919-554-7870 (P) 919-554-7913 (F)

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# **BEFORE THE**

# PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

Notification of the Name Change	)
of Sprint Long Distance, Inc.	)
to Embarq Communications, Inc.	)

# EXHIBIT A



PAGE 1

# The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "SPRINT LONG DISTANCE,"
INC.", CHANGING ITS NAME FROM "SPRINT LONG DISTANCE, INC." TO "EMBARQ COMMUNICATIONS, INC.", FILED IN THIS OFFICE ON THE TWENTY-THIRD DAY OF FEBRUARY, A.D. 2006, AT 5:18 O'CLOCK P.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.

Harriet Smith Windson
Harriet Smith Windson, Secretary of State
AUTHENTICATION: 4546152

DATE: 02-24-06

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# CERTIFICATE OF AMENDMENT OF CERTIFICATE OF INCORPORATION

OF

# SPRINT LONG DISTANCE, INC.

It is hereby certified that:

- 1. The name of the corporation (hereinafter called the "corporation") is Sprint Long Distance, Inc.
- 2. The certificate of incorporation of the corporation is hereby amended by striking out Article FIRST, Name thereof and by substituting in lieu of said Article, the following new Article:

### FIRST Name

"The name of the corporation is Embarq Communications, Inc. (the "Corporation")."

3. The amendment of the certificate of incorporation herein certified has been duly adopted and written consent has been given in accordance with the provisions of Sections 228 and 242 of the General Corporation Law of the State of Delaware.

Signed on 23 day of February, 2006.

SPRINT LONG DISTANCE, INC.

Name: Claudia Toussaint Title: Vice President

State of Delaware Secretary of State Division of Corporations Delivered 05:19 PM 02/23/2006 FILED 05:18 PM 02/23/2006 SRV 060175917 - 3929943 FILE

# **BEFORE THE**

# PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

Notification of the Name Change	)
of Sprint Long Distance, Inc.	)
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# EXHIBIT B

# The State of South Carolina



# Office of Secretary of State Mark Hammond

# **Certificate of Authorization**

I, Mark Hammond, Secretary of State of South Carolina Hereby certify that:

#### EMBARQ COMMUNICATIONS, INC.,

a corporation duly organized under the laws of the state of **DELAWARE** and issued a certificate of authority to transact business in South Carolina on **March 8th**, **2005**, has on the date hereof filed all reports due this office, paid all fees, taxes and penalties owed to the Secretary of State, that the Secretary of State has not mailed notice to the Corporation that its authority to transact business in South Carolina is subject to being revoked pursuant to Section 33-15-310 of the 1976 South Carolina Code, and no application for surrender of authority to do business in South Carolina has been filed in this office as of the date hereof.

Given under my Hand and the Great Seal of the State of South Carolina this 14th day of March, 2006.

Mark Hammond, Secretary of State

#### PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

#### DOCKETING DEPARTMENT

#### NOTICE OF FILING

#### DOCKET NO. 2006- -C

Sprint Long Distance, Inc. ("SLDI") herewith notifies the South Carolina Public Service Commission ("Commission") of its name change from Sprint Long Distance, Inc. to Embarq Communications, Inc. The name change will be undertaken in furtherance of SLDI's business plan to separate its identity from Sprint Communications L. P. to a stand-alone telecommunications company and to avoid confusion in SLDI's dealing with regulators, other government agencies, vendors and customers. Embarq will continue to provide telecommunications services in South Carolina. As the Name Change is completed, Embarq will file revised tariff sheets as appropriate in connection with the Name Change. These tariff changes will not revise the rates, terms or conditions of any services currently offered. The Name Change will have no impact on customers or services. The Name Change simply provides an outward reflection of Embarq's new simplified corporate organization. Customers will be provided notice of the Name Change via a bill message which is mailed directly to customers. The Company expects to begin using the new name on or after April 24, 2006.

A copy of the Application is on file in the offices of the Commission, 101 Executive Center Drive. Columbia, South Carolina 29210, the Commission's web site at www.psc.sc.gov, and is available from SLDI South Carolina Counsel, Scott Elliott, Esquire, Elliott & Elliott, PA, 721 Olive Street, Columbia, South Carolina 29205.

A public hearing, if scheduled, will be held in Columbia, South Carolina, in the offices of the Commission at the above address, for the purpose of receiving testimony and other evidence from all interested parties regarding this Application. The time and date of this hearing will be furnished to all interested parties at a later date.

Any person who wishes to participate in this matter, as a party of record with the right of cross-examination should file a Petition to Intervene in accordance with the Commission's Rules of Practice and Procedure on or before April 8, 2006, and indicate the amount of time required for his presentation. Please include an email address for receipt of future Commission correspondence in the Petition to Intervene. Please refer to Docket No. 2006- -C.

Any person who wishes to testify and present evidence at the hearing, if scheduled, should notify the Docketing Department in writing at the address below, the Office of Regulatory Staff at Post Office Box 11263, Columbia, South Carolina 29211, and Scott Elliott, Esquire, at the above address, on or before **April 8, 2006**, and indicate the amount of time required for his presentation. **Please refer to Docket No. 2006** - -C.

Any person who wishes to be notified of the hearing, but does not wish to present testimony or be a party of record, may do so by notifying the Docketing Department in writing at the address below on or before **April 8, 2006. Please** refer to **Docket No. 2006-** -C.

**PLEASE TAKE NOTICE:** Any person who wishes to have his or her comments considered as part of the official record of this proceeding **MUST** present such comments, in person, to the Commission during the hearing.

Persons seeking information about the Commission's Procedures should contact the Commission at (803)896-5100.

Public Service Commission of South Carolina
Attn: Docketing Department
Post Office Drawer 11649
Columbia, South Carolina 29211

# **CERTIFICATE OF SERVICE**

The undersigned employee of Elliott & Elliott, P.A. does hereby certify that she has served below listed parties with a copy of the pleading(s) indicated below by mailing a copy of same to them in the United States mail, by regular mail, with sufficient postage affixed thereto and return address clearly marked on the date indicated below:

RE:

Notification of the Name Change of Sprint Long Distance,

Inc. to Embarq Communications, Inc.

PARTIES SERVED:

C. Dukes Scott, Esquire Executive Director

Office of Regulatory Staff

P. O. Box 11263 Columbia, SC 29211

Florence P. Belser, Esquire

General Counsel

Office of Regulatory Staff

P. O. Box 11263 Columbia, SC 29211

PLEADING:

Notification of the Name Change of Sprint Long Distance,

Inc. to Embarg Communications, Inc.

March 14, 2006

Marcia W. Walters